

VZCZCXRO1432
PP RUEHDA
DE RUEHAK #1578 1720659
ZNR UUUUU ZZH
P 210659Z JUN 07
FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC PRIORITY 2679
INFO RUCPDOG/USDOC WASHDC PRIORITY
RUEHIT/AMCONSUL ISTANBUL 2909
RUEHDA/AMCONSUL ADANA 2065
RUEHBS/USEU BRUSSELS

UNCLAS ANKARA 001578

SIPDIS

DEPT PLEASE PASS USTR FOR LERRION/JCHOE-GROVES
DEPT PLEASE PASS USPTO FOR JOELLEN URBAN, MICHAEL SMITH
USDOC FOR ITA/MAC/CRUSNAK

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [ETRD](#) [KIPR](#) [USTR](#) [TU](#)
SUBJECT: TURKEY: WIPO TREATIES RATIFIED IN MAY 2007

SENSITIVE BUT UNCLASSIFIED.

¶1. (SBU) Summary: On May 8, Turkey published in its Official Gazette the ratification of WIPO's Copyright Agreement and Performances and Phonograms Treaty, a priority action listed for Turkey in USTR's 2006 Special 301 report. Foreign Trade Undersecretariat officials tell us that Turkey should complete its approval process and deposit its instruments of ratification with WIPO by the end of July. According to Ministry of Culture and Tourism officials, Turkey's March 2004 amended anti-piracy law and subsequent implementing regulations included the provisions of the WIPO treaties and were approved by the 2000 TRIPS Council. Turkish officials would welcome training and assistance from Washington agencies on the implementation and enforcement of the provisions of these treaties. End summary.

¶2. (SBU) On May 8, the Turkish Parliament's ratification of the WIPO Copyright Agreement (WCT) and Performances and Phonograms Treaty (WPPT) were published in the Official Gazette. According to Atilla Bastirmaci, Head of the America's Department at the Turkish Foreign Trade Undersecretariat (FTU), the ratification is with the Council of Ministers for final approval, which he characterized as a mere formality. After this final approval, Turkey will deposit its instruments of ratification with WIPO in Geneva. He said that this process usually takes about two months from the date of ratification and should be completed by the end of July, at the latest. Bastirmaci added that ratification of these treaties was a priority action for Turkey mentioned in USTR's 2006 Special 301 Priority Watchlist report, and Turkish Foreign Trade Minister Tuzmen hopes that such action will be viewed favorably by the U.S. when considering Turkey's 2008 Special 301 designation.

¶3. (SBU) According to Selahattin Ertas, Director General in charge of IPR issues at the Turkish Ministry of Culture and Tourism, Turkey's amended anti-piracy law, which went into effect in March 2004, and the subsequent implementing regulations were written to include the WIPO treaty provisions. He added that the 2000 WTO TRIPS Council examined and approved the draft legislation's compliance with international obligations prior to its implementation. Ertas admitted, however, that with new technology and the growing availability of the Internet in Turkey, the subject is constantly changing and as a result, Turkish policymakers must remain current on the issues and amend Turkey's anti-piracy provisions accordingly.

¶4. (SBU) Ertas inquired about the availability of training on the enforcement of the provisions of the WIPO treaties. He added that he believes the legislation as written is sound, but he is concerned about how Turkey will implement and enforce the requirements. Ertas mentioned his interest in learning about special equipment that might be used to assist with certification and the tracking of SIC

codes.

15. (SBU) Comment: The Turkish government sees the ratification of the WIPO treaties as a positive improvement in their IPR protection regime and hopes that it is adequately noted by Washington's IPR bureaucracy. Relevant Turkish authorities such as Culture and Tourism and Customs officials are open to subsequent training and would welcome assistance from USPTO or other interested Washington agencies. Post is ready to coordinate such training and assistance should it become available. End comment.

WILSON